Appendix B

Environmental Information

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
Division of Fish, Wildlife & Marine Resources
New York Natural Heritage Program
625 Broadway, 5th Floor, Albany, New York 12233-4757
Phone: (518) 402-8935 • **Fax:** (518) 402-8925
Website: www.dec.ny.gov

Alexander B. Grannis
Commissioner

May 12, 2010

Kelly J. Saladis
Shumaker Engineering
143 Court Street
Binghamton, NY 13901

Dear Ms. Saladis:

In response to your recent request, we have reviewed the New York Natural Heritage Program database with respect to an Environmental Assessment for the proposed Road Intersection Improvement at Route 156 and Washington Avenue, PIN 1757.31, site as indicated on the map you provided, located in the Towns of Guilderland and Colonie and City of Albany, Albany County.

Enclosed is a report of rare or state-listed animals and plants, significant natural communities, and other significant habitats, which our databases indicate occur, or may occur, on your site or in the immediate vicinity of your site. For most sites, comprehensive field surveys have not been conducted; the enclosed report only includes records from our databases. We cannot provide a definitive statement as to the presence or absence of all rare or state-listed species or natural communities. This information should not be substituted for on-site surveys that may be required for environmental impact assessment.

The enclosed report may be included in documents that will be available to the public. However, any enclosed maps displaying locations of rare species are considered sensitive information, and are intended only for the internal use of the recipient; they should not be included in any document that will be made available to the public, without permission from the New York Natural Heritage Program.

The presence of the plants and animals identified in the enclosed report may result in this project requiring additional review or permit conditions. For further guidance, and for information regarding other permits that may be required under state law for regulated areas or activities (e.g. regulated wetlands), please contact the appropriate NYS DEC Regional Office, Division of Environmental Permits, as listed at www.dec.ny.gov/about/39381.html.

Our databases are continually growing as records are added and updated. If this proposed project is still under development one year from now, we recommend that you contact us again so that we may update this response with the most current information.

Sincerely,

Tara Salerno

Tara Salerno, Information Services
New York Natural Heritage Program # 485

Enc.
cc: Reg. 4, Wildlife Mgr.
Peter Nye, Endangered Species Unit, Albany

Natural Heritage Report on Rare Species and Ecological Communities

NY Natural Heritage Program, NYS DEC, 625 Broadway, 5th Floor,
Albany, NY 12233-4757
(518) 402-8935

~The information in this report includes only records entered into the NY Natural Heritage databases as of the date of the report. This report is not a definitive statement on the presence or absence of all rare species or significant natural communities at or in the vicinity of this site.
~Refer to the User's Guide for explanations of codes, ranks and fields.
~Location maps for certain species and communities may not be provided 1) if the species is vulnerable to disturbance, 2) if the location and/or extent is not precisely known, 3) if the location and/or extent is too large to display, and/or 4) if the animal is listed as Endangered or Threatened by New York State.

Natural Heritage Report on Rare Species and Ecological Communities

BUTTERFLIES and SKIPPERS

Satyrium edwardsii

Office Use 10331

Edwards' Hairstreak

NY Legal Status: Unlisted
Federal Listing:
Last Report: 1987-07
County: Albany
Town: Albany - City , Colonie, Guilderland
Location: Albany Pine Bush
NYS Rank: S3S4 - Vulnerable
Global Rank: G4 - Apparently secure
EO Rank: Extant
General Quality and Habitat: The hairstreaks were found in pitch pine-scrub oak barrens.

MOTHS

Cerma cora

Office Use 5875

Bird Dropping Moth

NY Legal Status: Unlisted
Federal Listing:
Last Report: 1990
County: Albany
Town: Albany - City , Colonie, Guilderland
Location: Albany Pine Bush
NYS Rank: S1S2 - Critically imperiled
Global Rank: G3G4 - Vulnerable
EO Rank: Extant
General Quality and Habitat: The moth was found in pitch pine-scrub oak barrens.

Chytonix sensilis

Office Use 8841

A Noctuid Moth

NY Legal Status: Unlisted
Federal Listing:
Last Report: 1990
County: Albany
Town: Albany - City , Colonie, Guilderland
Location: Albany Pine Bush
NYS Rank: S1S3 - Critically imperiled
Global Rank: G4 - Apparently secure
EO Rank: Extant
General Quality and Habitat: The moths were found in pitch pine-scrub oak barrens.

Hemileuca maia maia

Office Use 4909

Inland Barrens Buckmoth

NY Legal Status: Special Concern
NYS Rank: S1S2 - Critically imperiled
Federal Listing:
Global Rank: G5T5 - Secure
Last Report: 2002-fa
EO Rank: Good or Fair
County: Albany
Town: Albany - City , Colonie, Guilderland
Location: Albany Pine Bush
General Quality and Habitat: The rank is based on Global Element Occurrence Ranking Specifications of August 10, 1992. There is likely over 1000 acres of suitable habitat ranging from high to marginal quality. Management is needed at the site to maintain the suitable habitat for this species. The moths are found in pitch pine scrub oak barrens. Sample sites are at the top of dunes for survey purposes.

Macrochilo bivittata

Office Use 7051

Two-striped Cord Grass Moth

NY Legal Status: Unlisted
NYS Rank: S1S3 - Critically imperiled
Federal Listing:
Global Rank: G3G4 - Vulnerable
Last Report: 1990
EO Rank: Extant
County: Albany
Town: Albany - City , Colonie, Guilderland
Location: Albany Pine Bush
General Quality and Habitat: The moths were taken from sites in pitch pine-scrub oak barrens.

Zanclognatha martha

Office Use 9628

Pine Barrens Zanclognatha

NY Legal Status: Unlisted
NYS Rank: S1S2 - Critically imperiled
Federal Listing:
Global Rank: G4 - Apparently secure
Last Report: 1990
EO Rank: Excellent or Good
County: Albany
Town: Albany - City , Colonie, Guilderland
Location: Albany Pine Bush
General Quality and Habitat: The population is persistent and in good habitat. The moths were found in pitch pine-scrub oak barrens.

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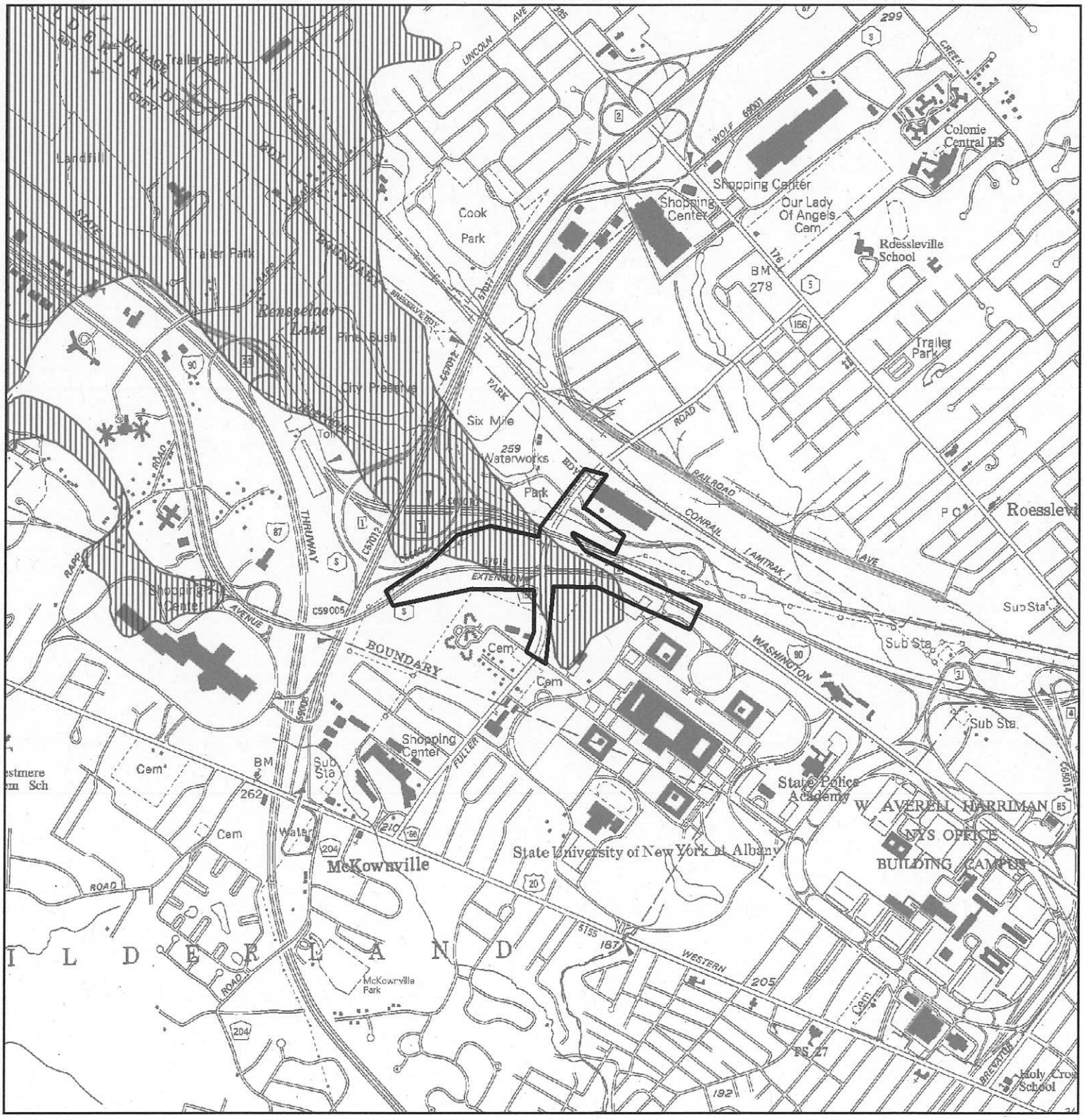
6 Records Processed

More detailed information about many of the rare and listed animals and plants in New York, including biology, identification, habitat, conservation, and management, are available online in Natural Heritage's Conservation Guides at www.acris.nynhp.org, from NatureServe Explorer at http://www.natureserve.org/explorer, from NYSDEC at http://www.dec.ny.gov/animals/7494.html (for animals), and from USDA's Plants Database at http://plants.usda.gov/index.html (for plants).

More detailed information about many of the natural community types in New York, including identification, dominant and characteristic vegetation, distribution, conservation, and management, is available online in Natural Heritage's Conservation Guides at www.acris.nynhp.org. For descriptions of all community types, go to http://www.dec.ny.gov/animals/29384.html and click on Draft Ecological Communities of New York State.

Natural Heritage Map of Rare Species and Ecological Communities

Prepared April 29, 2010 by the NY Natural Heritage Program, NYS DEC Albany, NY



Legend

Project Site

NY Natural Heritage Program Database Records*

A Noctuid Moth, Bird Dropping Moth, Edwards' Hairstreak, Inland Barrens Buckmoth, Pine Barrens Zanclognatha, & Two-striped Cord Grass Moth

1:24,000

0 0.15 0.3 0.6 0.9 1.2 Miles

N W E S

This map, and the locations that are displayed, are considered sensitive information, and are intended for the internal use of the recipient; they should not be included in any document that will be made available to the public, without permission from NY Natural Heritage. Some records listed in the accompanying report may not be shown on this map. Please see the report for details.

NY Natural Heritage Program, NYS DEC, 625 Broadway, 5th Floor,
Albany, NY 12233-4757
(518) 402-8935

HISTORICAL RECORDS

The following plants and animals were documented in the vicinity of the project site at one time, but have not been documented there since 1979 or earlier.
There is no recent information on these plants and animals in the vicinity of the project site and their current status there is unknown. In most cases the precise location of the plant or animal in this vicinity at the time it was last documented is also unknown and therefore location maps are generally not provided.
If appropriate habitat for these plants or animals is present in the vicinity of the project site, it is possible that they may still occur there.

Natural Heritage Report on Rare Species and Ecological Communities

BUTTERFLIES and SKIPPERS

Plebejus melissa samuelis ***(formerly Lycaeides melissa samuelis)***

Karner Blue

				Office Use
NY Legal Status:	Endangered	**NYS Rank:**	S1 - Critically imperiled	4138
Federal Listing:	Endangered	**Global Rank:**	G5T2 - Imperiled	ESU
Last Report:	1979	**EO Rank:**	Failed to find but search more	USFWS

County: Albany
Town: Guilderland
Location: Railroad Avenue
Directions: From the intersection of Fuller Road and Washington Avenue, take Fuller Road northeast to a railroad crossing. Go southeast on the tracks for approximately 0.6 miles. The butterflies occur between the tracks and Railroad Avenue.
General Quality and Habitat: Karner blue butterflies were last seen at this site in 1979. This site was last surveyed in 1990. 1990: There is still plenty of wild blue lupine and nectar, but it is shaded. This site is surrounded by commercial buildings to the north and railroad tracks and a major highway to the south. The butterflies were observed in a pine barrens remnant surrounded on 3 sides by a warehousing district and on the other side by a railroad. Much of original site was destroyed and replaced with a building and lawn.

1 Records Processed

More detailed information about many of the rare and listed animals and plants in New York, including biology, identification, habitat, conservation, and management, are available online in Natural Heritage's Conservation Guides at www.acris.nynhp.org, from NatureServe Explorer at http://www.natureserve.org/explorer, from NYSDEC at http://www.dec.ny.gov/animals/7494.html (for animals), and from USDA's Plants Database at http://plants.usda.gov/index.html (for plants).

USERS GUIDE TO NY NATURAL HERITAGE DATA

New York Natural Heritage Program, 625 Broadway, 5th Floor, Albany, NY 12233-4757 phone: (518) 402-8935

NATURAL HERITAGE PROGRAM: The NY Natural Heritage Program is a partnership between the NYS Department of Environmental Conservation (NYS DEC) and The Nature Conservancy. Our Mission is to facilitate the conservation of New York's biodiversity by providing comprehensive information and scientific expertise on rare species and natural ecosystems to resource managers and other conservation partners. We accomplish this mission by combining thorough field inventories, scientific analyses, expert interpretation, and the most comprehensive database on New York's distinctive biodiversity to deliver the highest quality information for natural resource planning, protection, and management.

DATA SENSITIVITY: The data provided in the report are ecologically sensitive and should be treated in a sensitive manner. The report is for your in-house use and should **not** be released, distributed or incorporated in a public document without prior permission from the Natural Heritage Program.

EO RANK: A letter code for the quality of the occurrence of the rare species or significant natural community, based on population size or area, condition, and landscape context.

A-E = Extant: A=Excellent, B=Good, C=Fair, D=Poor, E=Extant but with insufficient data to assign a rank of A-D.
F = Failed to find. Did not locate species during a limited search, but habitat is still there and further field work is justified.
H = Historical. Historical occurrence without any recent field information.
X = Extirpated. Field/other data indicates element/habitat is destroyed and the element no longer exists at this location.
U = Extant/Historical status uncertain.
Blank = Not assigned.

LAST REPORT: The date that the rare species or significant natural community was last observed at this location, as documented in the Natural Heritage databases. The format is most often YYYY-MM-DD.

NY LEGAL STATUS – Animals:

Categories of Endangered and Threatened species are defined in New York State Environmental Conservation Law section 11-0535. Animals listed as Endangered, Threatened, or Special Concern are protected against taking, importation, transportation, possession, or sale without a permit. Endangered, Threatened, and Special Concern species are listed in regulation 6NYCRR 182.5.

E - Endangered Species: any species which meet one of the following criteria:
- Any native species in imminent danger of extirpation or extinction in New York.
- Any species listed as endangered by the United States Department of the Interior, as enumerated in the Code of Federal Regulations 50 CFR 17.11.

T - Threatened Species: any species which meet one of the following criteria:
- Any native species likely to become an endangered species within the foreseeable future in NY.
- Any species listed as threatened by the U.S. Department of the Interior, as enumerated in the Code of the Federal Regulations 50 CFR 17.11.

SC - Special Concern Species: those species which are not yet recognized as endangered or threatened, but for which documented concern exists for their continued welfare in New York.

P - Protected Wildlife (defined in Environmental Conservation Law section 11-0103): wild game, protected wild birds, and endangered species of wildlife.

U - Unprotected (defined in Environmental Conservation Law section 11-0103): the species may be taken at any time without limit; however a license to take may be required.

G - Game (defined in Environmental Conservation Law section 11-0103): any of a variety of big game or small game species as stated in the Environmental Conservation Law; many normally have an open season for at least part of the year, and are protected at other times.

NY LEGAL STATUS – Plants:

The following categories are defined in regulation 6NYCRR part 193.3 and apply to NYS Environmental Conservation Law section 9-1503.

E - Endangered Species: listed species are those with:
- 5 or fewer extant sites, or
- fewer than 1,000 individuals, or
- restricted to fewer than 4 U.S.G.S. 7 ½ minute topographical maps, or
- species listed as endangered by U.S. Dept. of Interior, as enumerated in Code of Federal Regulations 50 CFR 17.11.

T - Threatened: listed species are those with:
- 6 to fewer than 20 extant sites, or
- 1,000 to fewer than 3,000 individuals, or
- restricted to not less than 4 or more than 7 U.S.G.S. 7 and ½ minute topographical maps, or
- listed as threatened by U.S. Department of Interior, as enumerated in Code of Federal Regulations 50 CFR 17.11.

April 19, 2010

Ms. Heidi Krahling, Information Services
NYS Department of Environmental Conservation
Division of Fish, Wildlife & Marine Resources
New York Natural Heritage Program
625 Broadway, 5th Floor
Albany, NY 12233

Re: PIN 1721.51
Interstate 87 Exit 3 Airport Connector
Town of Colonie, Albany County, NY

Dear Ms. Krahling:

Shumaker Consulting Engineering & Land Surveying, P.C., as a subconsultant to Clough Harbour & Associates, LLP, is providing environmental engineering services on behalf of the New York State Department of Transportation for the referenced project.

We have a copy of a response from your office dated October 10, 2000, issued as a result of an initial request by Integrated Site Landscape Architects to review the project study area with respect to threatened and endangered species. However, since a significant amount of time has passed since the date of your response, we respectfully request that your office provide updated information on the presence of endangered and/or threatened species within the vicinity of the proposed roadway project located in the Town of Colonie, Albany County, New York. A portion of the Albany USGS Topographic Map is enclosed to assist with your review.

We shall appreciate a written response at your earliest convenience to comply with scheduled project deadlines. If you have any questions or require further information, please contact this office.

Very truly yours,

SHUMAKER CONSULTING ENGINEERING
& LAND SURVEYING, P.C.

Eric B. Watkins
Environmental Scientist II

EBW/jmp

Enclosure

United States Department of the Interior

FISH AND WILDLIFE SERVICE

New York Field Office
3817 Luker Road, Cortland, NY 13045
Phone: (607) 753-9334
Fax: (607) 753-9699

Long Island Field Office
3 Old Barto Rd., Brookhaven, NY 11719
Phone: (631) 776-1401
Fax: (631) 776-1405

Endangered Species Act List Request Response Cover Sheet

This cover sheet is provided in response to a search of our website* for information regarding the potential presence of species under jurisdiction of the U.S. Fish and Wildlife Service (Service) within a proposed project area.

Attached is a copy of the New York State County List of Threatened, Endangered, and Candidate Species for the appropriate county(ies). The database that we use to respond to list requests was developed primarily to assist Federal agencies that are consulting with us under Section 7(a)(2) of the Endangered Species Act (ESA) (87 Stat. 884, as amended; 16 U.S.C. 1531 *et seq*.). Our lists include all Federally-listed, proposed, and candidate species known to occur, as well as those likely to occur, in specific counties.

The attached information is designed to assist project sponsors or applicants through the process of determining whether a Federally-listed, proposed, or candidate species and/or "critical habitat" may occur within their proposed project area and when it is appropriate to contact our offices for additional coordination or consultation. You may be aware that our offices have provided much of this information in the past in project-specific letters. However, due to increasing project review workloads and decreasing staff, we are now providing as much information as possible through our website. We encourage anyone requesting species list information to print out all materials used in any analyses of effects on listed, proposed, or candidate species.

The Service routinely updates this database as species are proposed, listed, and delisted, or as we obtain new biological information or specific presence/absence information for listed species. If project proponents coordinate with the Service to address proposed and candidate species in early stages of planning, this should not be a problem if these species are eventually listed. However, we recommend that both project proponents and reviewing agencies retrieve from our online database an *updated* list every 90 days to append to this document to ensure that listed species presence/absence information for the proposed project is *current.*

Reminder: Section 9 of the ESA prohibits unauthorized taking** of listed species and applies to Federal and non-Federal activities. For projects not authorized, funded, or carried out by a Federal agency, consultation with the Service pursuant to Section 7(a)(2) of the ESA is not required. However, no person is authorized to "take**" any listed species without appropriate authorizations from the Service. Therefore, we provide technical assistance to individuals and agencies to assist with project planning to avoid the potential for "take**," or when appropriate, to provide assistance with their application for an incidental take permit pursuant to Section 10(a)(1)(B) of the ESA.

Additionally, endangered species and their habitats are protected by Section 7(a)(2) of the ESA, which requires Federal agencies, in consultation with the Service, to ensure that any action it authorizes, funds, or carries out is not likely to jeopardize the continued existence of listed species or result in the destruction or adverse modification of critical habitat. An assessment of the potential direct, indirect, and cumulative impacts is required for all Federal actions that may affect listed species.

For instance, work in certain waters of the United States, including wetlands and streams, may require a permit from the U.S. Army Corps of Engineers (Corps). If a permit is required, in reviewing the application pursuant to the Fish and Wildlife Coordination Act (48 Stat. 401, as amended;16 U.S.C. 661 *et seq.*), the Service may concur, with or without recommending additional permit conditions, or recommend denial of the permit depending upon potential adverse impacts on fish and wildlife resources associated with project construction or implementation. The need for a Corps permit may be determined by contacting the appropriate Corps office(s).*

For additional information on fish and wildlife resources or State-listed species, we suggest contacting the appropriate New York State Department of Environmental Conservation regional office(s) and the New York Natural Heritage Program Information Services.*

Since wetlands, ponds, streams, or open or sheltered coastal waters may be present in the project area, it may be helpful to utilize the National Wetlands Inventory (NWI) maps as an initial screening tool. However, they may or may not be available for the project area. Please note that while the NWI maps are reasonably accurate, they should not be used in lieu of field surveys for determining the presence of wetlands or delineating wetland boundaries for Federal regulatory purposes. Online information on the NWI program and digital data can be downloaded from Wetlands Mapper, http://wetlands.fws.gov/mapper_tool.htm.

Project construction or implementation should not commence until all requirements of the ESA have been fulfilled. After reviewing our website and following the steps outlined, we encourage both project proponents and reviewing agencies to contact our office to determine whether an accurate determination of species impacts has been made. If there are any questions about our county lists or agency or project proponent responsibilities under the ESA, please contact the New York or Long Island Field Office Endangered Species Program at the numbers listed above.

Attachment (county list of species)

*Additional information referred to above may be found on our website at: http://www.fws.gov/northeast/nyfo/es/section7.htm

** Under the Act and regulations, it is illegal for any person subject to the jurisdiction of the United States to ***take*** (includes harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect; or to attempt any of these), import or export, ship in interstate or foreign commerce in the course of commercial activity, or sell or offer for sale in interstate or foreign commerce any endangered fish or wildlife species and most threatened fish and wildlife species. It is also illegal to possess, sell, deliver, carry, transport, or ship any such wildlife that has been taken illegally. “Harm” includes any act which actually kills or injures fish or wildlife, and case law has clarified that such acts may include significant habitat modification or degradation that significantly impairs essential behavioral patterns of fish or wildlife.

Albany County

Federally Listed Endangered and Threatened Species and Candidate Species

This list represents the best available information regarding known or likely County occurrences of Federally-listed and candidate species and is subject to change as new information becomes available.

Common Name	Scientific Name	Status
Bald eagle [1]	*Haliaeetus leucocephalus*	D
Bog turtle *(historic)*	*Clemmys [=Glyptemys] muhlenbergii*	T
Indiana bat (W/S) [2]	*Myotis sodalis*	E
Karner blue butterfly	*Lycaeides melissa samuelis*	E
Shortnose sturgeon[3]	*Acipenser brevirostrum*	E

Status Codes: E=Endangered, T=Threatened, P=Proposed, C=Candidate, D=Delisted.

W=Winter S=Summer

[1] The bald eagle was delisted on August 8, 2007. While there are no ESA requirements for bald eagles after this date, the eagles continue to receive protection under the Bald and Golden Eagle Protection Act (BGEPA). Please follow the Service's May 2007 Bald Eagle Management Guidelines to determine whether you can avoid impacts under the BGEPA for your projects. If you have any questions, please contact the endangered species branch in our office.

[2] "While Indiana bats were known to winter in Albany County, we now believe they are likely extirpated or in such small numbers that it is unlikely that they would be present and impacted by any specific proposed projects in Albany, Rensselaer, Saratoga, Schenectady, and Schoharie Counties. This determination may change as we receive new information."

[3] Primarily occurs in Hudson River. Principal responsibility for this species is vested with the National Oceanic and Atmospheric Administration/Fisheries.

Information current as of: 1/12/2012

WETALND ID	PLANT COMMUNITY CLASSIFICATION	SOURCE OF HYDROLOGY	SPRING-FED HYDROLOGY	SOIL CHARACTERISTICS				DOMINANT VEGETATION	LAND USE	GRAZING	HABITAT SUITABILITY			SUITABLE BOG TURTLE HABITAT	WETLAND IMPACTED
				ASSOCIATED SOIL TYPE	SOIL MAP SYMBOL	SOIL TYPE/DRAINAGE CLASS	MUCKY				HYDROLOGY	SOILS	VEGETATION		
A	Shallow Emergent Marsh	roadway drainage	NO	Urban Land	Ud	Mineral/well+	NO	common reed; purple loosestrife	Transportation	NO	NO	NO	NO	NO	X
B	Shallow Emergent Marsh	roadway drainage; surface water; saturation in upper 12"	NO	Elnora loamy fine sand	EnA/EnB	Mineral/moderately well	NO	common reed; reed canary grass	Commercial	NO	NO	NO	NO	NO	
C	Shallow Emergent Marsh	roadway drainage; surface water; saturation in upper 12"	NO	Urban Land	Ud	Mineral/well+	NO	common reed; purple loosestrife	Transportation	NO	NO	NO	NO	NO	X
D	Shallow Emergent Marsh	roadway drainage; surface water; saturation in upper 12"	NO	Stafford loamy sand/Urban Land	St/Ur	Mineral/somewhat poorly; Miscellaneous/Unknown	NO	common reed; purple loosestrife; sensitive fern; cattail; spotted jewelweed	Undeveloped	NO	NO	NO	YES	NO	
E	Shallow Emergent Marsh	roadway drainage; surface water; saturation in upper 12"	NO	Urban Land	Ud	Mineral/well+	NO	common reed; purple loosestrife	Transportation	NO	NO	NO	NO	NO	
F	Shallow Emergent Marsh	roadway drainage	NO	Urban Land/Elnora loamy fine sand	Ud/EnA	Mineral/well+; Mineral/moderately well	NO	common reed; purple loosestrife; water horsetail; green ash; eastern cottonwood	Transportation	NO	NO	NO	NO	NO	
G	Shallow Emergent Marsh	roadway drainage; saturation in upper 12"	NO	Stafford loamy sand	St	Mineral/somewhat poorly	NO	cattail; common reed	Commercial	NO	NO	NO	NO	NO	
H	Shallow Emergent Marsh	roadway drainage; surface water; saturation in upper 12"	NO	Stafford loamy sand	St	Mineral/somewhat poorly	NO	common reed; purple loosestrife	Commercial	NO	NO	NO	NO	NO	
I	Shallow Emergent Marsh	roadway drainage; surface water; saturation in upper 12"	NO	Urban Land/Stafford loamy sand /Urban Land	Ur/St/Ud	Miscellaneous/unknown; Mineral/somewhat poorly; Mineral/well+	NO	common reed; purple loosestrife	Commercial	NO	NO	NO	NO	NO	
J	Floodplain Forest/Shallow Emergent Marsh	roadway drainage; surface water; saturation in upper 12"	NO	Urban Land	Ud	Mineral/well+	NO	green ash; red maple; paper birch; ostrich fern; spotted jewelweed; tatarian honeysuckle	Transportation	NO	NO	NO	NO	NO	x

WETALND ID	PLANT COMMUNITY CLASSIFICATION	SOURCE OF HYDROLOGY	SPRING-FED HYDROLOGY	SOIL CHARACTERISTICS				DOMINANT VEGETATION	LAND USE	GRAZING	HABITAT SUITABILITY			SUITABLE BOG TURTLE HABITAT	WETLAND IMPACTED
				ASSOCIATED SOIL TYPE	SOIL MAP SYMBOL	SOIL TYPE/DRAINAGE CLASS	MUCKY				HYDROLOGY	SOILS	VEGETATION		
K	Floodplain Forest	roadway drainage; surface water; saturation in upper 12"	NO	Urban Land	Ud	Mineral/well+	NO	red maple; pin oak; spotted jewel weed; sensitive fern; water horsetail	Transportation	NO	NO	NO	NO	NO	x
L	Floodplain Forest	roadway drainage	NO	Elnora loamy fine sand	EnA	Mineral/moderately well	NO	red maple; sensitive fern; silky dogwood	Undeveloped	NO	NO	NO	NO	NO	x
M	Floodplain Forest	roadway drainage; saturation in upper 12"	NO	Urban Land	Ud	Mineral/well+	NO	green ash; sensitive fern; red maple; arrowwood; cinnamon fern	Transportation	NO	NO	NO	NO	NO	x
N	Shallow Emergent Marsh	roadway drainage; saturation in upper 12"	NO	Urban Land	Ud	Mineral/well+	NO	cattail; purple loosestrife; sensitive fern; spotted jewelweed	Transportation	NO	NO	NO	YES	NO	x
O	Floodplain Forest	roadway drainage; surface water; saturation in upper 12"	NO	Urban Land	Ud	Miscellaneous/Unknown	NO	red maple; green ash; sensitive fern; spotted jewelweed; purple loosestrife; elderberry	Transportation	NO	NO	NO	YES	NO	x
P	Shallow Emergent Marsh/Floodplain Forest	roadway drainage; surface water; saturation in upper 12"	NO	Urban Land	Ud	Mineral/well+	NO	red maple; green ash; American elm; sensitive fern; cinnamon fern; royal fern; purple loosestrife; water horsetail; cattail; reed canary	Transportation	NO	NO	NO	NO	NO	x
Q	Shallow Emergent Marsh	roadway drainage; saturation in upper 12"	NO	Elnora loamy fine sand	EnA	Mineral/moderately well	NO	common reed; purple loosestrife; cattail; green ash	Transportation	NO	NO	NO	NO	NO	x
R	Floodplain Forest	roadway drainage; saturation in upper 12"	NO	Urban Land	Ud	Mineral/well+	NO	red maple; green ash; sensitive fern; cinnamon fern; royal fern; common reed	Transportation	NO	NO	NO	NO	NO	
S	Shallow Emergent Marsh/Floodplain Forest	stormwater runoff	NO	Urban Land	Ud	Mineral/well+	NO	common reed; sensitive fern; wrinkle-leaf goldenrod; purpleloosestrife; willow; quaking aspen	Commercial	NO	NO	NO	NO	NO	x
T	Shallow Emergent Marsh	stormwater runoff	NO	Elnora loamy fine sand	EnA	Mineral/moderately well	NO	purple loosestrife; soft rush; spotted jewelweed; carex sp.	Undeveloped	NO	NO	NO	YES	NO	x
U	Shallow Emergent Marsh	roadway drainage	NO	Urban Land	Ud	Mineral/well+	NO	cattail; purple loosestrife; sensitive fern; yellow foxtail; carex sp.	Transportation	NO	NO	NO	YES	NO	

WETALND ID	PLANT COMMUNITY CLASSIFICATION	SOURCE OF HYDROLOGY	SPRING-FED HYDROLOGY	SOIL CHARACTERISTICS				DOMINANT VEGETATION	LAND USE	GRAZING	HABITAT SUITABILITY			SUITABLE BOG TURTLE HABITAT	WETLAND IMPACTED
				ASSOCIATED SOIL TYPE	SOIL MAP SYMBOL	SOIL TYPE/DRAINAGE CLASS	MUCKY				HYDROLOGY	SOILS	VEGETATION		
V	Floodplain Forest	roadway drainage	NO	Granby loamy fine sand	Gr	Mineral/poorly	NO	red maple; American elm; arrowwood; common reed; sensitive fern; upright sedge; sweet flag; purple loosestrife	Transportation	NO	NO	NO	YES	NO	
W	Floodplain Forest	roadway drainage	NO	Granby loamy fine sand	Gr	Mineral/poorly	NO	red maple; American elm; arrowwood; winterberry; reed canary; cinnamon fern; carex sp; common reed	Transportation	NO	NO	NO	NO	NO	x
X	Floodplain Forest/Wet Meadow	roadway drainage; saturation in upper 12"	NO	Urban Land	Ud	Mineral/well+	NO	red maple; green ash; reed canary; common reed; sensitive fern; tatrian honeysuckle; soft rush; purple loosestrife	Transportation	NO	NO	NO	NO	NO	
Y	Shallow Emergent Marsh/Floodplain Forest	roadway drainage; saturation in upper 12"	NO	Stafford loamy sand/Urban Land	St/Ud	Mineral/somewhat poorly; Mineral/well+	NO	common reed; red maple; swamp white oak; arrowwood; tussock sedge; Poa sp.; royal fern	Transportation	NO	NO	NO	YES	NO	
Z	Shallow Emergent Marsh	roadway drainage; surface water; saturation in upper 12"	NO	Elnora loamy fine sand	EnB	Mineral/moderately well	NO	common reed	Transportation	NO	NO	NO	NO	NO	
AA	Floodplain Forest/Wet Meadow	roadway drainage	NO	Granby loamy fine sand	Gr	Mineral/poorly	NO	red maple; green ash; sensitive fern; river bank grape	Transportation	NO	NO	NO	NO	NO	
BB	Floodplain Forest/Shallow Emergent Marsh	roadway drainage; saturation in upper 12"	NO	Granby loamy fine sand/Udipsamments	Gr/Uf	Mineral/poorly; mineral/well+	NO	red maple; American elm; arrowwood; sensitive fern; royal fern; tussock sedge; grass	Transportation	NO	NO	NO	YES	NO	
CC	Shallow Emergent Marsh	roadway drainage; saturation in upper 12"	NO	Stafford loamy sand	St	Mineral/somewhat poorly	NO	common reed; purple loosestrife; grasses; goldenrod	Undeveloped	NO	NO	NO	NO	NO	x
DD	Shallow Emergent Marsh	roadway drainage; surface water	NO	Udipsamments/Colonie loamy fine sand/Stafford loamy fine sand	Uf/CoB/St	;Mineral/well+;	NO	common reed; softrush; grass; goldenrod	Transportation	NO	NO	NO	NO	NO	x

WETALND ID	PLANT COMMUNITY CLASSIFICATION	SOURCE OF HYDROLOGY	SPRING-FED HYDROLOGY	SOIL CHARACTERISTICS				DOMINANT VEGETATION	LAND USE	GRAZING	HABITAT SUITABILITY			SUITABLE BOG TURTLE HABITAT	WETLAND IMPACTED
				ASSOCIATED SOIL TYPE	SOIL MAP SYMBOL	SOIL TYPE/DRAINAGE CLASS	MUCKY				HYDROLOGY	SOILS	VEGETATION		
EE	Floodplain Forest	roadway drainage; surface water; saturation in upper 12"	NO	Urban Land/Elnora loamy fine sand	Ud/EnA	;Mineral/moderately well	NO	red maple; American elm; green ash; cinnamon fern; royal fern; sensitive fern	Undeveloped	NO	NO	NO	NO	NO	x
FF	Shallow Emergent Marsh	roadway drainage; surface water; saturation in upper 12"	NO	Stafford loamy sand/Urban Land	St/Ud	Mineral/somewhat poorly	NO	common reed; softrush; purple loosestrife; reed canary; cattail; sensitive fern	Undeveloped	NO	NO	NO	NO	NO	x
GG	Shallow Emergent Marsh	roadway drainage	NO	Elnora loamy fine sand	EnA	Mineral/moderately well	NO	common reed; cattail	Undeveloped	NO	NO	NO	NO	NO	x
HH	Floodplain Forest	roadway drainage; saturation in upper 12"	NO	Elnora loamy fine sand	EnA	Mineral/moderately well	NO	green ash; red maple; sensitive fern; purple loosestrife; grass; common reed; reed canary	Transportation	NO	NO	NO	YES	NO	x
II	Floodplain Forest	roadway drainage; surface water; saturation in upper 12"	NO	Stafford loamy sand	St	Mineral/somewhat poorly	NO	green ash; red maple; musclewood; purple lossestrife; cinnamon fern; e. marsh fern; royal fern; sensitive fern; carex spp.	Undeveloped	NO	NO	NO	YES	NO	x
JJ	Shallow Emergent Marsh	roadway drainage; saturation in upper 12"	NO	Urban Land	Ud	Miscellaneous/Unknown	NO	common reed; purple loosestrife; carex spp.; tearthumb; winterberry; reed canary	Transportation	NO	NO	NO	NO	NO	x
KK	Wet Meadow	storm water; saturation in upper 12"	NO	Elnora loamy fine sand	EnA	Mineral/moderately well	NO	reed canary; rubus sp.; carex sp.; e. marsh fern	Undeveloped	NO	NO	NO	YES	NO	
LL	Wet Meadow	storm water; saturation in upper 12"	NO	Elnora loamy fine sand	EnA	Mineral/moderately well	NO	carex sp.; softrush; goldenrod; rubus sp.; woolgrass; e. marsh fern	Undeveloped	NO	NO	NO	YES	NO	
MM	Shallow Emergent Marsh	storm water	NO	Stafford loamy sand	St	Mineral/somewhat poorly	NO	carex sp.; softrush	Undeveloped	NO	NO	NO	YES	NO	
NN	Wet Meadow	storm water; saturation in upper 12"	NO	Stafford loamy sand	St	Mineral/somewhat poorly	NO	softrush; carex sp.; e. marsh fern	Undeveloped	NO	NO	NO	YES	NO	
OO	Shallow Emergent Marsh	storm water; surface water; saturation in upper 12"	NO	Elnora loamy fine sand	EnA	Mineral/moderately well	NO	carex sp.; softrush; woolgrass; sensitive fern; solidago spp.; e. marsh fern	Undeveloped	NO	NO	NO	YES	NO	

WETALND ID	PLANT COMMUNITY CLASSIFICATION	SOURCE OF HYDROLOGY	SPRING-FED HYDROLOGY	SOIL CHARACTERISTICS				DOMINANT VEGETATION	LAND USE	GRAZING	HABITAT SUITABILITY			SUITABLE BOG TURTLE HABITAT	WETLAND IMPACTED
				ASSOCIATED SOIL TYPE	SOIL MAP SYMBOL	SOIL TYPE/DRAINAGE CLASS	MUCKY				HYDROLOGY	SOILS	VEGETATION		
PP	Shallow Emergent Marsh	storm water; surface water; saturation in upper 12"	NO	Granby loamy fine sand	Gr	Mineral/poorly	NO	carex spp.; reed canary; purple loosestrife; sensitive fern; softrush; solidago spp.; red maple; green ash; gray dogwood	Undeveloped	NO	NO	NO	YES	NO	x
QQ	Wet Meadow	storm water; saturation in upper 12"	NO	Colonie	CoB	Mineral/well+	NO	common reed; woolgrass; sensitive fern; softrush; purple loosestrife	Undeveloped	NO	NO	NO	NO	NO	
RR	Shallow Emergent Marsh	storm water; surface water; saturation in upper 12"	NO	Granby loamy fine sand/Stafford loamy fine sand	Gr/St	Mineral/poorly; Mineral/somewhat poorly	NO	common reed; grasses; purple loosestrife; tearthumb; speckled alder	Undeveloped	NO	NO	NO	NO	NO	x
SS	Shallow Emergent Marsh	storm water; saturation in upper 12"	NO	Stafford loamy sand	St	Mineral/somewhat poorly	NO	wool grass; reed canary; softrush; purple loosestrife; cattail	Undeveloped	NO	NO	NO	NO	NO	
TT	Shallow Emergent Marsh/Scrub Shrub	storm water; saturation in upper 12"	NO	Stafford loamy sand	St	Mineral/somewhat poorly	NO	common reed	Undeveloped	NO	NO	NO	NO	NO	x

Westrick, Lisa

From: dlockwood@shumakerengineering.com
Sent: Tuesday, January 03, 2012 1:58 PM
To: Thomas.Brady@albanycounty.com
Cc: KSaladis@shumakerengineering.com
Subject: RE: 0458: Info Re: Drinking Water Wells in or near ProjectStudy Area

Tom,

Thank you for your response; we appreciate it. Happy New Year.

Donald J. Lockwood, PWS, CWB®
Environmental Scientist

SHUMAKER
Consulting Engineering & Land Surveying, P.C.

"The Shumaker Difference"

143 Court Street
Binghamton NY 13901
Phone (607) 798-8081 Ext. 346• Fax (607) 798-8186

dlockwood@shumakerengineering.com

www.shumakerengineering.com

From: Brady, Thomas [mailto:Thomas.Brady@albanycounty.com]
Sent: Tuesday, January 03, 2012 1:56 PM
To: Don Lockwood
Cc: Kelly Saladis
Subject: RE: 0458: Info Re: Drinking Water Wells in or near ProjectStudy Area

Don & Kelly:

I have no explaination as to why this never arrived on my desk. This should be an official freedom of imfrmation request, however….

This large area is well developed in terms of commercial and residential. All are served by public water, Latham Water District. Latham WD draws its water from the Mohawk River, miles away, so no concern there. There may still be some very old private wells used for irrigation. We have no records that go back that far. Plus back then no records were officially kept. Most of the area is served by public sewers. there is a small pocket of commercial septic systems in the Old Nikkayuna/ Albany Shaker area just west of Rt I-87.

In short there are no public or private drinking water wells that could be impacted by any work in the area you denoted. If you need any more information feel free to contact me

Tom

Thomas J. Brady, PhD
Assistant Director
Division of Environmental Health Services
Albany County Health Department
(518) 447-4620

From: dlockwood@shumakerengineering.com [mailto:dlockwood@shumakerengineering.com]
Sent: Tuesday, January 03, 2012 1:25 PM
To: Brady, Thomas
Cc: KSaladis@shumakerengineering.com
Subject: 0458: Info Re: Drinking Water Wells in or near ProjectStudy Area

Tom,

Per our phone conversation: attached is a PDF of the original Fax requesting information about wells in the Project Study Area.

Donald J. Lockwood, PWS, CWB®
Environmental Scientist

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Consulting Engineering & Land Surveying, P.C.

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dlockwood@shumakerengineering.com

www.shumakerengineering.com

Before printing, please think about the environment

SHUMAKER
Consulting Engineering & Land Surveying, P.C.

January 6, 2012

Ms. Lisa M. Westrick, P.E.
CHA
III Winners Circle
P.O. Box 5269
Albany, NY 12205-0269

Re: Preliminary Asbestos Screening Technical Memorandum
I-87, Exit 3/Exit 4 Access Improvements
I-87 SB & NB over Albany Shaker Road (BINs 1033141 & 42)
Town of Colonie, Albany County, New York
PIN 1721.51, SCE Project No. 00458.00

Dear Ms. Westrick:

Shumaker Consulting Engineering & Land Surveying, P.C. (SCE) conducted the preliminary asbestos screening conducted at the referenced project site and findings are contained within this summary report.

1.0 BACKGROUND

The project consists of the construction/realignment of the I-87, Exit 3, Exit 4 and Access Airport Connector Road Improvements in Albany County. Impacted structures are identified as:

Bridges
- BIN 1033141, I-87 SB over Albany Shaker Road (Replacement)
- BIN 1033142, I-87 NB over Albany Shaker Road (Replacement)

Buildings
- None included at this time

The objective of this screening is to identify impacted bridge components that are suspect asbestos-containing materials (ACM) and develop a sampling plan for future determination of asbestos content through laboratory analyses.

2.0 PRELIMINARY ASBESTOS SCREENING

- SCE conducted a preliminary asbestos screening of the bridge structures. Impacted materials that are ACM must be handled in accordance with all applicable federal, state, and local laws. A material is defined as an ACM under the Occupational Safety and Health Administration (OSHA) regulation 29 CFR 1926.1101, if it contains greater than one percent (>1%) asbestos by weight.

Record plans were reviewed for each bridge structure. Table 1 lists the suspect ACMs identified on the record plans for each bridge structure.

Table 1: Suspect ACMs Identified in Bridge Record Plans

BIN (Year)	Suspect ACM	Location/comments
BINs 1033141 & 1033142 (1957)	Bituminous material (Item 61)	Back of concrete wingwalls & abutments in contact with soil- not accessible
	Premoulded Bituminous Joint Filler	Located at expansion joints – replaced in 1995 - paved over not accessible
	Compressed Asbestos Sheet Packing	Top of backwall, beneath bridge deck
	Protective Coating for Metal (Item 300)	Metal surfaces beneath metal grates *(typically asbestos paint coating)*

SCE conducted a visual assessment of the bridge structures on December 29, 2011. Table 2 identifies the suspect ACM materials observed at each bridge structure, including the location of the material and the minimum number of bulk samples to be collected to confirm asbestos content.

Table 2: Observed Suspect ACMs at Bridges

Material	Location	BINS		# of Samples per material
		1033141	1033142	
Paint Coating	Steel girders below former grates	*	*	*
Paint Coating	Remaining steel girders	3	3	6
Masonry Coating	On abutment & pier pedestals concrete surfaces	3	3	6
Bearing pads	Beneath bearings	3	3	6
Sheet packing	Between top of backwall & bridge deck	3	3	6
Guide Rail Post Pads	Beneath guiderail posts	3	3	6
# of Samples per Structure		15	15	30

* = Green paint coating previously sampled by inspectors from NYSDOT and identified as ACM, additional samples not required.

NYSDOT protocol requires a minimum of three samples to be collected for each homogenous material at each bridge or building structure. The green paint coatings located beneath former grates were previously sampled by NYSDOT and determined to be ACM. Copies of the laboratory reports for the samples are attached. The preliminary asbestos screening was performed by New York State Department of Labor (NYSDOL)-certified/United States Environmental Protection Agency (USEPA)-accredited Asbestos Inspectors. Copies of the inspectors' certifications and a copy of the SCE asbestos license are attached to this report. Suspect ACMs should be assessed prior to any rehabilitation or demolition activities. Suspect

ACMs, and any additional suspected ACMs identified during construction activities, must be handled as an ACM unless appropriate laboratory analysis determines the material is non-ACM.

Removal, transport, and disposal of ACM shall be performed in accordance with federal, state, and local regulations including, but not limited to, those of the USEPA, OSHA, New York State Department of Environmental Conservation (NYSDEC), and NYSDOL. Applicable regulations include National Emission Standards for Hazardous Air Pollutants (NESHAP) promulgated by USEPA and NYSDOL Industrial Code Rule 56 (ICR 56).

3.0 CONCLUSIONS AND RECOMMENDATIONS

The preliminary asbestos screening was performed in conformance with the NYSDOT Environmental Manual. A minimum of 30 samples for the 2 impacted bridges will be needed to adequately assess identified suspect materials for the presence of ACM. Any ACMs anticipated to be impacted during construction activities, are required to be handled in accordance with all federal, state and local laws.

Should you have any questions or concerns regarding this report, please do not hesitate to contact me at (518) 452-5730 or Chris Dousharm at (315) 724-0100.

Very truly yours,

SHUMAKER CONSULTING ENGINEERING
& LAND SURVEYING, P.C.

Samuel D. Syrotynski
Environmental Scientist IV

SDS/csd

Enclosures

cc: C. Dousharm, SCE
File

ALB.

O'BRIEN & GERE
LABORATORIES, INC.

Asbestos In Non-Friable Organically Bound Materials

Client: Montgomery Watson Harza Engineering Co., Inc.
Project: NYS DOT Asbestos Assessment
Project Desc: I-87 Over Albany Shaker Rd. South Bound
NYSDOT PIN: 1806.69

OBG Job Number: 8118.001.510

Certification Number: 10155
Project Number: 406050
NYSDOT BIN: 1033141

Client Sample ID	OBG Sample #	Color	Percent Combustible	% Acid Soluble	Percent Remaining	PLM Exam Results	TEM Exam Results	Final % Asbestos
49	0502-1325	VAR	49.59	19.35	31.06	<1.0 ND	10 Tremolite	3.11
50	0502-1326	VAR	35.67	17.11	47.22	<1.0 ND	<1.0 ND	<1.0
51	0502-1327	VAR	24.35	11.38	64.27	<1.0 ND	<1.0 ND	<1.0

N.D. - Not Detected
N.A. - Not Analyzed

Analyst: Michael Richards
Method: ELAP Item Numbers 198.1 and 198.4
Analysis Only Performed By O'Brien & Gere Laboratories, Inc.

Authorized: Michael J. Gerber
Date: 5/31/2002

5000 Brittonfield Parkway / Suite 300, Box 4942 / Syracuse, NY 13221 / (315) 437-0200

O'BRIEN & GERE
LABORATORIES, INC.

ALB.

Asbestos In Non-Friable Organically Bound Materials

Client: Montgomery Watson Harza Engineering Co., Inc.
Project: NYS DOT Asbestos Assessment
Project Desc: I-87/Albany Shaker Rd. North Bound
NYSDOT PIN: 1806.69

OBG Job Number: 8118.001.510

Certification Number: 10155
Project Number: 4060301
NYSDOT BIN: 1033142

Client Sample ID	OBG Sample #	Color	Percent Combustible	% Acid Soluble	Percent Remaining	PLM Exam Results	TEM Exam Results	Final % Asbestos
46	0502-1322	VAR	38.62	23.68	37.70	<1.0 ND	<1.0 Chrysotile	<1.0 ND
47	0502-1323	VAR	26.44	19.28	54.29	<1.0 ND	<1.0 ND	<1.0 ND
48	0502-1324	VAR	50.67	16.67	32.66	<1.0 ND	25 Tremolite	8.16

N.D. - Not Detected
N.A. - Not Analyzed

Analyst: Michael Prohelo
Method: ELAP Item Numbers 198.1 and 198.4
Analysis Only Performed By O'Brien & Gere Laboratories, Inc.

Authorized:
Date: 5/16/2002
Michael J. Gerber

5000 Brittonfield Parkway / Suite 300, Box 4942 / Syracuse, NY 13221 / (315) 437-0200

NEW YORK STATE - DEPARTMENT OF LABOR
DIVISION OF SAFETY AND HEALTH
LICENSE AND CERTIFICATE UNIT
STATE CAMPUS BUILDING 12
ALBANY, NY 12240

ASBESTOS HANDLING LICENSE

Shumaker Consulting. Engineering and Land Surveying, P.C.

143 Court Street

Binghamton, NY 13901

FILE NUMBER: 00-0828
LICENSE NUMBER: 29368
LICENSE CLASS: RESTRICTED
DATE OF ISSUE: 11/23/2011
EXPIRATION DATE: 12/31/2012

Duly Authorized Representative – Linda M Shumaker PE.

This license has been issued in accordance with applicable provisions of Article 30 of the Labor Law of New York State and of the New York State Codes, Rules and Regulations (12 NYCRR Part 56). It is subject to suspension or revocation for a (1) serious violation of state, federal or local laws with regard to the conduct of an asbestos project, or (2) demonstrated lack of responsibility in the conduct of any job involving asbestos or asbestos material.

This license is valid only for the contractor named above and this license or a photocopy must be prominently displayed at the asbestos project worksite. This license verifies that all persons employed by the licensee on an asbestos project in New York State have been issued an Asbestos Certificate, appropriate for the type of work they perform, by the New York State Department of Labor.

Maureen A. Cox

Maureen A. Cox, Director
FOR THE COMMISSIONER OF LABOR

SH 432 (4-07)

STATE OF NEW YORK - DEPARTMENT OF LABOR

ASBESTOS CERTIFICATE

SAMUEL D SYROTYNSKI
CLASS(EXPIRES)
C ATEC(10/12) D INSP(10/12)
H PM (10/12) I PD (10/12)

CERT# 89-03517
DMV# 627109068

MUST BE CARRIED ON ASBESTOS PROJECTS

EYES BRO
HAIR BRO
HGT 6' 02"

IF FOUND RETURN TO:
NYSDOL - L&C UNIT
ROOM 161A BUILDING 12
STATE OFFICE CAMPUS
ALBANY NY 12240

STATE OF NEW YORK - DEPARTMENT OF LABOR

ASBESTOS CERTIFICATE

ANDREW J MARSDEN
CLASS(EXPIRES)
D.INSP(02/12) H.PM (02/12)

CERT# 06-12559
DMV# 597963863

MUST BE CARRIED ON ASBESTOS PROJECTS

EYES HAZ
HAIR BRO
HGT 5' 08"

IF FOUND RETURN TO:
NYSDOL - L&C UNIT
ROOM 161A BUILDING 12
STATE OFFICE CAMPUS
ALBANY NY 12240

United States Department of Agriculture

NRCS

Natural Resources Conservation Service
441 S. Salina Street, Suite 354
Syracuse, NY 13202-2450

Email: kathryn.duncan@ny.usda.gov
Telephone: 315-477-6506

December 14, 2011

CHA
Jean Loewenstein
3 Winners Circle
Albany, New York 12205-0269

Re: Interstate 87 Exit 3/4 Access Improvements
NRCS FPPA review

Dear Ms. Loewenstein,

The Farmland Conversion Impact Rating (AD-1006), for the project cited above, is attached for your use. The funding agency is responsible for completing the rest of the form. When the total form is complete please send a copy here for our records.

Also attached, is a spreadsheet that shows the value for the soil type(s) and the final results (weighted average) that was entered on the AD-1006. It includes the inner area within each corridor which is considered an indirect conversion. I did remove the land in the industrial area of the photo which is considered already converted.

The project information will be retained for future reference. If you have any questions about this determination please feel free to contact me.

Kathryn Duncan

Kathryn Duncan
Cartographer

U.S. Department of Agriculture

FARMLAND CONVERSION IMPACT RATING

PART I *(To be completed by Federal Agency)*	Date Of Land Evaluation Request 12/14/11
Name Of Project Interstate 87 Exit 3/4 Access Improvement	Federal Agency Involved Federal Highway Administration
Proposed Land Use Highway Access Improvement	County And State Albany, New York
PART II *(To be completed by NRCS)*	Date Request Received By NRCS 12/12/11

Does the site contain prime, unique, statewide or local important farmland? *(If no, the FPPA does not apply -- do not complete additional parts of this form).*	Yes ☑	No ☐	Acres Irrigated 368	Average Farm Size 123
Major Crop(s) corn, hay	Farmable Land In Govt. Jurisdiction Acres: 61,030	% 18	Amount Of Farmland As Defined in FPPA Acres: 149,057	% 44
Name Of Land Evaluation System Used Albany County LESA	Name Of Local Site Assessment System none		Date Land Evaluation Returned By NRCS 12/14/11	

PART III *(To be completed by Federal Agency)*	Alternative Site Rating Site A	Site B	Site C	Site D
A. Total Acres To Be Converted Directly	5.7	4.9		
B. Total Acres To Be Converted Indirectly	32.8	49.5		
C. Total Acres In Site	38.5	54.4	0.0	0.0
PART IV *(To be completed by NRCS)* Land Evaluation Information				
A. Total Acres Prime And Unique Farmland	15.2	27.8		
B. Total Acres Statewide And Local Important Farmland	16.9	18.1		
C. Percentage Of Farmland In County Or Local Govt. Unit To Be Converted	.001%	.001%		
D. Percentage Of Farmland In Govt. Jurisdiction With Same Or Higher Relative Value	59.8	53.6		
PART V *(To be completed by NRCS)* Land Evaluation Criterion Relative Value Of Farmland To Be Converted *(Scale of 0 to 100 Points)*	49	52	0	0

PART VI *(To be completed by Federal Agency)* Site Assessment Criteria *(These criteria are explained in 7 CFR 658.5(b)*	Maximum Points				
1. Area In Nonurban Use					
2. Perimeter In Nonurban Use					
3. Percent Of Site Being Farmed					
4. Protection Provided By State And Local Government					
5. Distance From Urban Builtup Area					
6. Distance To Urban Support Services					
7. Size Of Present Farm Unit Compared To Average					
8. Creation Of Nonfarmable Farmland					
9. Availability Of Farm Support Services					
10. On-Farm Investments					
11. Effects Of Conversion On Farm Support Services					
12. Compatibility With Existing Agricultural Use					
TOTAL SITE ASSESSMENT POINTS	160	0	0	0	0
PART VII *(To be completed by Federal Agency)*					
Relative Value Of Farmland *(From Part V)*	100	49	52	0	0
Total Site Assessment *(From Part VI above or a local site assessment)*	160	0	0	0	0
TOTAL POINTS *(Total of above 2 lines)*	260	49	52	0	0

Site Selected:	Date Of Selection	Was A Local Site Assessment Used? Yes ☐ No ☒

Reason For Selection:

(See Instructions on reverse side)

Form AD-1006 (10-83)

This form was electronically produced by National Production Services Staff

STEPS IN THE PROCESSING THE FARMLAND AND CONVERSION IMPACT RATING FORM

Step 1– Federal agencies involved in proposed projects that may convert farmland, as defined in the Farmland Protection Policy Act (FPPA) to nonagricultural uses, will initially complete Parts I and III of the form.

Step 2 – Originator will send copies A, B and C together with maps indicating locations of site(s), to the Natural Resources Conservation Service (NRCS) local field office and retain copy D for their files. (Note: NRCS has a field office in most counties in the U.S. The field office is usually located in the county seat. A list of field office locations are available from the NRCS State Conservationist in each state).

Step 3 – NRCS will, within 45 calendar days after receipt of form, make a determination as to whether the site(s) of the proposed project contains prime, unique, statewide or local important farmland.

Step '4 – In cases where farmland covered by the FPPA will be converted by the proposed project, NRCS field offices will complete Parts II, IV and V of the form.

Step 5 – NRCS will return copy A and B of the form to the Federal agency involved in the project. (Copy C will be retained for NRCS records).

Step 6 – The Federal agency involved in the proposed project will complete Parts VI and VII of the form.

Step 7 – The Federal agency involved in the proposed project will make a determination as to whether the proposed conversion is consistent with the FPPA and the agency's internal policies.

INSTRUCTIONS FOR COMPLETING THE FARMLAND CONVERSION IMPACT RATING FORM

Part I: In completing the "County And State" questions list all the local governments that are responsible for local land controls where site(s) are to be evaluated.

Part III: In completing item B (Total Acres To Be Converted Indirectly), include the following:

1. Acres not being directly converted but that would no longer be capable of being farmed after the conversion, because the conversion would restrict access to them.

2. Acres planned to receive services from an infrastructure project as indicated in the project justification (e.g. highways, utilities) that will cause a direct conversion.

Part VI: Do not complete Part VI if a local site assessment is used.

Assign the maximum points for each site assessment criterion as shown in § 658.5 (b) of CFR. In cases of corridor-type projects such as transportation, powerline and flood control, criteria #5 and #6 will not apply and will, be weighed zero, however, criterion #8 will be weighed a maximum of 25 points, and criterion #11 a maximum of 25 points.

Individual Federal agencies at the national level, may assign relative weights among the 12 site assessment criteria other than those shown in the FPPA rule. In all cases where other weights are assigned relative adjustments must be made to maintain the maximum total weight points at 160.

In rating alternative sites, Federal agencies shall consider each of the criteria and assign points within the limits established in the FPPA rule. Sites most suitable for protection under these criteria will receive the highest total scores, and sites least suitable, the lowest scores.

Part VII: In computing the "Total Site Assessment Points" where a State or local site assessment is used and the total maximum number of points is other than 160, adjust the site assessment points to a base of 160. Example: if the Site Assessment maximum is 200 points, and alternative Site "A" is rated 180 points:

$$\frac{\text{Total points assigned Site A}}{\text{Maximum points possible}} = \frac{180}{200} \times 160 = 144 \text{ points for Site "A."}$$

Project Name	Date Received	Date Returned	County	System Used				
I-87 Exit 3/4 Access Improvements (Flyover Cooridor - A)	12/12/2011	12/14/2011	Albany	Albany County LESA				
MUID	Soil	Agric. Value Group	Acres	Prod. Soil Local	AC*RV	Prime Acres	Statewide Acres	Total Prime & Statewide Acres
EnA	Elnora loamy fine sand	3	13.10	61.7	808.3	13.100		
EnB	Elnora loamy fine sand	3	2.10	61.7	129.6	2.100		
Gr	Granby loamy fine sand	9	1.60	30	48.0			
St	Stafford loamy fine sand	5	15.20	51.8	787.4		15.200	
Ud	Udipsamments, smoothed	10	4.80	0	0.0			
UnB	Unadilla silt loam	4	1.70	81.9	139.2		1.700	
					0.0			
					0.0			
					0.0			
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					0.0			
PID = Prime if Drained					0.0			
			38.50		1912.4	15.200	16.900	32.100
Weighted Value	49.67							

Project Name	Date Received	Date Returned	County	System Used				
I-87 Exit 3/4 Access Improvements (Diamond Cooridor - B)	12/12/2011	12/14/2011	Albany	Albany County LESA				
MUID	Soil	Agric. Value Group	Acres	Prod. Soil Local	AC*RV	Prime Acres	Statewide Acres	Total Prime & Statewide Acres
CoB	Colonie loamy fine sand	3	7.50	61.7	462.8	7.500		
CoC	Colonie loamy fine sand (r	6	0.20	48	9.6		0.200	
CoD	Colonie loamy fine sand (h	9	1.30	34.4	44.7			
EnA	Elnora loamy fine sand	3	18.30	61.7	1129.1	18.3		
EnB	Elnora loamy fine sand	3	2.00	61.7	123.4	2.000		
Gr	Granby loamy fine sand	9	3.30	30	99.0			
St	Stafford loamy fine sand	5	16.20	51.8	839.2		16.200	
Ud	Udipsamments, smoothed	10	3.90	0	0.0			
UnB	Unadilla silt loam	4	1.70	81.9	139.2		1.700	
					0.0			
					0.0			
					0.0			
					0.0			
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					0.0			
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					0.0			
					0.0			
PID = Prime if Drained					0.0			
			54.40		2847.0	27.800	18.100	45.900
Weighted Value	52.33							

U.S. Fish and Wildlife Service

Natural Resources of Concern

This resource list is to be used for planning purposes only — it is not an official species list.

Endangered Species Act species list information for your project is available online and listed below for the following FWS Field Offices:

NEW YORK ECOLOGICAL SERVICES FIELD OFFICE
3817 LUKER ROAD
CORTLAND, NY 13045
(607) 753-9334
http://www.fws.gov/northeast/nyfo/es/section7.htm

Project Name:

0458 I-87 Exit 3

U.S. Fish and Wildlife Service

Natural Resources of Concern

Project Location Map:

Project Counties:

Albany, NY

U.S. Fish and Wildlife Service

Natural Resources of Concern

Geographic coordinates (Open Geospatial Consortium Well-Known Text, NAD83):

MULTIPOLYGON (((-73.7820779 42.7380791, -73.7863737 42.7337276, -73.7916094 42.7289992, -73.7940985 42.7272968, -73.7934977 42.7266663, -73.7910086 42.723892, -73.8050848 42.7163251, -73.809548 42.7207392, -73.8102346 42.7202978, -73.8132387 42.7179646, -73.8147837 42.7185952, -73.8143502 42.7190367, -73.8126336 42.7202348, -73.8112646 42.7214328, -73.8070589 42.7238289, -73.8061148 42.7260358, -73.8040505 42.7289361, -73.8012224 42.7311428, -73.8018232 42.7317102, -73.8037115 42.7321515, -73.804999 42.7325298, -73.8062006 42.7332233, -73.8069731 42.7343581, -73.8074881 42.7351776, -73.8085137 42.7363124, -73.8085137 42.7390861, -73.8088614 42.7410403, -73.8105737 42.7423641, -73.810063 42.7429944, -73.8087712 42.742175, -73.8077498 42.740971, -73.8076554 42.7373841, -73.8066255 42.7356205, -73.8061963 42.7345488, -73.805514 42.7336, -73.8037072 42.7327173, -73.8014799 42.732276, -73.8002783 42.7315825, -73.7965833 42.7288084, -73.7938367 42.7303878, -73.793326 42.7321499, -73.7924677 42.7320239, -73.7916909 42.7321499, -73.7910944 42.7324652, -73.785082 42.7383313, -73.7820779 42.7380791)))

Project Type:

Transportation

Endangered Species Act Species List (USFWS Endangered Species Program).

There are a total of **3** threatened, endangered, or candidate species, and/or designated critical habitat on your species list. Species on this list are the species that may be affected by your project and could include species that exist in another geographic area. For example, certain fishes may appear on the species list because a project could cause downstream effects on the species. Please contact the designated FWS office if you have questions.

Species that may be affected by your project:

Insects	Status	Species Profile		Contact
Karner Blue butterfly (*Lycaeides melissa samuelis*) Population: Entire	Endangered	species info		New York Ecological Services Field Office
Mammals				
Indiana bat (*Myotis sodalis*) Population: Entire	Endangered	species info		New York Ecological Services Field Office
Reptiles				

U.S. Fish and Wildlife Service

Natural Resources of Concern

Bog Turtle (*Clemmys muhlenbergii*) Population: northern	Threatened	species info		New York Ecological Services Field Office

FWS National Wildlife Refuges (USFWS National Wildlife Refuges Program).

There are no refuges found within the vicinity of your project.

FWS Migratory Birds (USFWS Migratory Bird Program).

Most species of birds, including eagles and other raptors, are protected under the Migratory Bird Treaty Act (16 U.S.C. 703). Bald eagles and golden eagles receive additional protection under the Bald and Golden Eagle Protection Act (16 U.S.C. 668). The Service's Birds of Conservation Concern (2008) report identifies species, subspecies, and populations of all migratory nongame birds that, without additional conservation actions, are likely to become listed under the Endangered Species Act as amended (16 U.S.C 1531 et seq.).

NWI Wetlands (USFWS National Wetlands Inventory).

The U.S. Fish and Wildlife Service is the principal Federal agency that provides information on the extent and status of wetlands in the U.S., via the National Wetlands Inventory Program (NWI). In addition to impacts to wetlands within your immediate project area, wetlands outside of your project area may need to be considered in any evaluation of project impacts, due to the hydrologic nature of wetlands (for example, project activities may affect local hydrology within, and outside of, your immediate project area). It may be helpful to refer to the USFWS National Wetland Inventory website. The designated FWS office can also assist you. Impacts to wetlands and other aquatic habitats from your project may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal Statutes. Project Proponents should discuss the relationship of these requirements to their project with the Regulatory Program of the appropriate U.S. Army Corps of Engineers District.

The following wetlands intersect your project area:

Wetland Types	NWI Classification Code	Approximate Acres
Freshwater Forested/Shrub Wetland	PFO1E	0.756731
Freshwater Forested/Shrub Wetland	PFO1C	4.474186
Freshwater Emergent Wetland	PEM5A	6.090868

Natural Resources of Concern

Freshwater Forested/Shrub Wetland	PFO1C	4.592249
Freshwater Forested/Shrub Wetland	PFO1E	2.341698
Freshwater Emergent Wetland	PEM5C	0.257208
Freshwater Forested/Shrub Wetland	PFO1E	5.346556
Freshwater Forested/Shrub Wetland	PFO1C	2.309821
Freshwater Forested/Shrub Wetland	PFO1E	64.498432
Freshwater Forested/Shrub Wetland	PFO1E	0.375253
Freshwater Forested/Shrub Wetland	PSS1C	4.054713
Freshwater Forested/Shrub Wetland	PFO1E	1.888574
Freshwater Forested/Shrub Wetland	PSS1Fh	1.372279
Freshwater Forested/Shrub Wetland	PFO1E	5.624491
Freshwater Pond	PUBHh	0.256426
Freshwater Forested/Shrub Wetland	PSS1E	5.62467
Freshwater Pond	PUBHh	0.131851
Freshwater Forested/Shrub Wetland	PFO1E	9.510658
Freshwater Pond	PUBHx	0.128538
Freshwater Emergent Wetland	PEM1E	1.637693
Freshwater Pond	PUBFh	0.233278

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
Division of Fish, Wildlife & Marine Resources
New York Natural Heritage Program
625 Broadway, 5th Floor, Albany, New York 12233-4757
Phone: (518) 402-8935 • **Fax:** (518) 402-8925
Website: www.dec.ny.gov

Joe Martens
Commissioner

August 9, 2013

Kelly J. Saladis
Shumaker Consulting Engineering & Land Surveying, P.C.
143 Court Street
Binghamton, NY 13901

Dear Ms. Saladis:

In response to your recent request, we have reviewed the New York Natural Heritage Program database with respect to the proposed Interstate 87 Exit 3 Airport Connector, PIN 1721.51, in the Town of Colonie, Albany County.

We have no recent records of rare or state-listed animals or plants, or of significant natural communities, at this site or in its immediate vicinity.

Our database does have a historical record of a rare plant in the area of the proposed wetland mitigation site: in 1848, the rare orchid **puttyroot** (*Aplectrum hyemale*, listed by NYS as Endangered) was collected at "Shaker's Woods south of Mill [Ann Lee] Pond." We do not know the precise location of this collection, we have no recent information on this population, and there is uncertainty regarding its continued presence. We provide this information for your general reference. While its current status is not known, if suitable habitat for this plant, rich woods, is present in the vicinity of the project site, it is possible that it may still be found there. We recommend that any field surveys to the site include a search for this species, particularly at sites that are currently undeveloped and may still contain suitable habitat. If any rare plants or animals are documented during site visits, we request that information on the observations be provided to the New York Natural Heritage Program so that we may update our database.

Information about many of the rare animals and plants in New York, including habitat, biology, identification, conservation, and management, are available online in Natural Heritage's Conservation Guides at www.guides.nynhp.org.

For most sites, comprehensive field surveys have not been conducted; the enclosed report only includes records from our databases. We cannot provide a definitive statement as to the presence or absence of all rare or state-listed species or significant natural communities. This information should not be substituted for on-site surveys that may be required for environmental impact assessment.

Sincerely,

Nick Conrad

Nicholas Conrad
Information Resource Coordinator
New York Natural Heritage Program

U.S. Department of Transportation
Federal Highway Administration

New York Division

Leo W. O'Brien Federal Building
11A Clinton Avenue, Suite 719
Albany, NY 12207
518-431-4127
Fax: 518-431-4121
New York.FHWA@dot.gov

June 18, 2013

In Reply Refer To:
HPE-NY

Mr. Daniel Hitt, RLA
Chief, Office of Environment
New York State Department
of Transportation
50 Wolf Road
Albany, NY 12232

Subject: Determination for ESA Section 7 Consultation, Indiana Bat
Albany, Rensselaer, Saratoga, Schenectady, and Schoharie Counties

Dear Mr. Hitt:

In regards to the consultation process for projects under Section 7 of the Endangered Species Act (ESA), specifically regarding Indiana bat (*Myotis sodalis*), this letter applies to projects receiving Federal aid from the Federal Highway Administration (FHWA) and/or where FHWA is the National Environmental Policy Act lead Federal agency for the project.

On July 16, 2012, the New York Field Office of the U.S. Fish and Wildlife Service (USFWS) published a document listing each federally endangered and threatened species (enclosed) that is known to occur within each county in New York. Section 7 of the ESA requires species-specific investigations for projects within those counties. Regarding Indiana bat, the document includes the following note for Albany, Rensselaer, Saratoga, Schenectady, and Schoharie Counties:

> While Indiana bats were known to winter in Albany County, we [USFWS] now believe they are likely extirpated or in such small numbers that it is unlikely that they would be present and impacted by any specific proposed projects in Albany, Rensselaer, Saratoga, Schenectady, and Schoharie Counties. This determination may change as we receive new information.

Based on the above note, FHWA concludes that projects within the five counties listed above have "No Effect" on Indiana bats or their habitat. Since the status of the species is changing rapidly and the potential exists for other species of bats to be listed by the ESA, this "No Effect" conclusion is valid for no more than 90 days from the date of this letter. We will review the species status and issue a new letter with relevant information before the end of this 90-day period. If you have any questions or concerns, please contact Melissa Toni at 518-431-8867.

Sincerely,

Jonathan D. McDade
Division Administrator

Enc.

STATE OF NEW YORK
DEPARTMENT OF TRANSPORTATION - REGION ONE
50 WOLF ROAD
ALBANY, NEW YORK 12232
www.dot.ny.gov

SAM ZHOU, P.E.
ACTING REGIONAL DIRECTOR

JOAN MCDONALD
COMMISSIONER

August 13, 2013

Mark A. Castiglione, Acting Executive Director
Hudson River Valley Greenway
625 Broadway #4
Albany, NY 12207

RE: Project Notification
Interstate I 87 Exit 3/4 Access Improvements
Town of Colonie,
Albany County
PIN 1721.51

Dear Mr. Castiglione,

The New York State Department of Transportation (Region 1) is currently in the design approval phase of the above referenced project. The project proposes to improve access between I-87 and the Albany International Airport and between I-87 and Wolf Road. Safety and traffic operations will be improved at Exit 4. The project will be designed to not adversely impact I-87 mainline operations between Exit 2 and Exit 5 and to allow for future long-term improvements to I-87.

We do not anticipate that the work will affect the nature of the Greenway's mission in any way. The project letting is scheduled for sometime in 2014.

If you have questions, require additional information, or wish to provide comments, please contact our office as follows:

Betty Ketcham, Environmental Contact
Phone: (518) 485-9295
Fax: (518) 457-6887
E-mail: Elizabeth.Ketcham@dot.ny.gov

Sincerely,

Diane S. Goetke
R1 NYSDOT Environmental Unit Leader
DG:BK

Enclosure:
1. Location maps

cc: J. Masi, Project Manager, NYSDOT R-1

Albany County
Agricultural and Farmland Protection Board

August 29, 2013

Attn: Donald J. Lockwood
143 Court Street
Shumaker Consulting Engineering & Land Surveying, P.C.
Binghamton NY 13901

Dear Mr. Lockwood,

The Albany County Agricultural and Farmland Protection Board met on August 29, 2013 to review the forms and maps you provided as well as other data provided by Albany County Office of Natural Resource Conservation, Albany County Soil and Water Conservation District, Cornell Cooperative Extension of Albany County and USDA Farm Service Agency. Following this review, we offer the following comments related to the economic effects to farmland relative to your proposed project:

- As noted in the updated design report, the boundaries of Agricultural District #3 have changed. Parcel # 30-5-1 in the Town of Colonie is no longer included in the District and has been acquired by the Albany County Airport Authority. There are approximately 38 acres of districted land on the north side of Albany Shaker Rd. and 15 acres on Old Wolf Rd. that would be potentially impacted by the proposed alternatives. As stated in the updated design report, "the project right-of-way and limit of disturbance do not encroach on the Agricultural District #3."

- Parcels 30-5-1 and 30-5-9 in the Town of Colonie, owned by the Albany County Airport Authority, are no longer farmed. Lease agreements with farmers were not renewed as FAA policy no longer supports use of lands in the runway protection zone for growing grain or corn due to concerns over conflicts with wildlife. It is our understanding that these lands, including prime soils and soils of statewide importance, will be maintained as shrub land and will not be farmed.

- Agricultural Assessment value of parcel 30-3-77 is estimated to be $22,193. The agricultural assessment value of farmland on Old Wolf Rd. is estimated to be $12,667. This farmland is used for the production of various vegetables. The current alternatives do not appear to encroach on these active farmlands therefore no economic impact is anticipated.

- It appears that the only potential impact to farms in the project area would be the possibility of disrupted access during construction on Albany Shaker and/or Old Wolf Rd. and drainage issues that may arise during and/or after construction.

Sincerely,

Howard Zimmer, Chairman

From: Karl Parker
Sent: Wednesday, October 16, 2013 9:58 AM
To: Diane (DOT) Goetke
Cc: Ecker, Lee; Westrick, Lisa; Angelo (DOT) Trichilo; Christopher (DOT) White; Elizabeth (DOT) Ketcham; Geoffrey (DOT) Wood; John (DOT) Masi; Tanya (DOT) Thorne; Thomas (DOT) Kligerman; Nancy Baker; Bill Clarke
Subject: Re: PIN 1721.51 Exit 3-4 Airport Connector, Field Meeting Follow-up Summary

Diane:

This summary generally looks ok.

In regard to Item #2, as we discussed, the key is exactly where the acquisition line would be situated. When you have reached a tentative agreement on this issue with Eddie Person, please provide a map showing the proposed acquisition. In regard to Item #3, our discussion focused primarily on wetland restoration and creation opportunities, and it is in that context that I suggested a 1:1 ratio would be adequate given the proposed acquisition and protection component. I very much want to maintain a no-net loss of wetlands, and simple wetland enhancement would not achieve that. Some wetland enhancement may be appropriate as part of the overall mitigation proposal.

Please contact me if you have any questions.

Karl Parker

>>> "Goetke, Diane (DOT)" 10/10/2013 10:11 AM >>>
Karl,
Thanks for a productive meeting on Monday 10/7 at the 200 Sunset Blvd commercial property owned by Eddie Person. The following is a draft summary of what was discussed and our understanding of the conceptual agreements reached:

1) The areas of potential wetland enhancement, restoration and/or creation are located around the periphery of the existing commercial business lot at 200 Sunset Blvd. The areas identified during our site visit will be tested soon by consultants Hartgen Archeological Associates, Inc. for the presence of cultural resources. We will not be testing any of the existing developed parking areas at this time because this is an active commercial business and because testing through these filled areas would be quite difficult.

2) For the flyover alternative, DOT would propose to acquire a portion of the north parcel (200 Sunset Blvd), in the areas outside of the existing developed parking areas, for preservation and wetland enhancement, restoration and/or creation. The remaining developed area would be retained by Mr. Person so he can continue his current level of business functions.

For the diamond alternative, DOT would propose to acquire both the north and south parcels (200 & 70 Sunset Blvd) in their entirety for preservation and wetland enhancement, restoration and/or creation in areas including the developed commercial business area and the access road. Cultural resource testing would be conducted in those untested areas prior to project final design.

3) We discussed a target mitigation ratio of approximately 1:1 for wetland enhancement, restoration and/or creation, in addition to the preservation of the parcel(s) for either alternative.

4) For the flyover alternative, DOT would propose to create a buffer between the existing developed commercial business area and our wetland mitigation and preservation areas. A vegetated soil berm and/or ROW fence could serve as a visual and physical barrier to minimize future intrusions into the mitigation and preserved areas.

For the diamond alternative, unpermitted access to these parcels would be minimized through the installation of physical barriers (i.e. berms, fences, bollards, etc.)

5) DOT will explore the feasibility of eventually turning any acquired property over to Albany County for their use as additional preserved open space.

Please let me know if you agree with this summary or if you have any comments or questions.

Thanks.

Diane S Goetke
Environmental Unit Leader
Region 1 Design - Landscape Architecture & Environmental Services
New York State Department of Transportation
50 Wolf Road POD 2-3
Albany, NY 12232

From: Masi, John (DOT)
Sent: Tuesday, November 05, 2013 4:10 PM
To: Westrick, Lisa; Ecker, Lee
Subject: FW: PIN 1721.51 Exit 3-4 Airport Connector Wetland Mitigation Proposal (UNCLASSIFIED)

-----Original Message-----
From: Delorier, Christine
Sent: Tuesday, November 05, 2013 2:10 PM
To: Goetke, Diane (DOT)
Cc: Trichilo, Angelo (DOT); White, Christopher (DOT); Ketcham, Elizabeth (DOT); Masi, John (DOT); Thorne, Tanya (DOT); Nancy Baker; 'Karl Parker'
Subject: PIN 1721.51 Exit 3-4 Airport Connector Wetland Mitigation Proposal (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: NONE

Good afternoon Diane and everyone,

Thank you for meeting with me today at the proposed mitigation site for the Exit 3-4 Airport Connector project.

Based on our discussions and in light of the views expressed by the NYSDEC, we agree that this site can be pursued so that you can develop a comprehensive plan that would mitigate the impacts to waters of the United States, including wetlands and stream channel, for the subject project, with all wetland mitigation to be based on adequate and proper hydrology.

Please note:

1. We also agree that a vegetative berm is warranted to protect the mitigation site from the existing business and to better demarcate the boundary.
2. We again recommend at least a 1 to 1 ratio of wetland restoration and/or establishment be pursued, in addition to the enhancement that is necessary in order to achieve success for the wetlands to be restored/established, and to assure no net loss of wetlands functions and services (ratio based on minimal or no proposed loss of forested wetlands). A breakdown of all the types of proposed mitigation will need to be part of your plan (i.e. ___ acre of emergent wetland establishment, ___ acre of scrub shrub wetland restoration, ___ linear feet of stream preservation, __ acre of upland preservation).
3. Two invasive species are already present within the mitigation area. Please be sure to incorporate an invasive species management plan into the comprehensive mitigation plan. Please be advised that our standard within the wetland mitigation areas (to include enhancement, restoration and establishment areas) is to have no more than a total of 5% areal coverage of common reed (Phragmites australis), purple loosestrife (Lythrum salicaria), reed canary grass (Phalaris arundinacea), Japanese knotweed (Polygonum cuspidatum), Tartarian honeysuckle (Lonicera tatarica), Eurasian water-milfoil (Myriophyllum spicata), and/or other invasive species. Justification, with a reasonable alternative percentage proposed (for a specific species), must be provided for us to consider any alternative percentage.

4. Preservation of stream channel within the mitigation site may be an acceptable means of mitigating stream impacts from culvert extensions or other in-stream work associated with the project, depending on the extent of impacts and whether opportunities to further enhance stream riparian area or stream stability exist.
5. Please avoid as much as possible, any loss of more mature forested portions of the property, and develop a plan that connects the proposed wetlands to existing wetlands/stream to assure that isolated wetlands are not created.
6. Whether retained by NYSDOT or transferred to Albany County down the road, please review the model deed restriction and conservation easement language that I gave to you, and let's follow up as discussed on the means utilized by the NYSDOT to preserve sites in perpetuity.

In terms of loss to aquatic resources, we are glad to hear that the Diamond Alternative will no longer be pursued.

Please let me know if you need any additional information from me to help you move forward.

Sincerely,

Christine Delorier
Geologist/Sr. Project Manager
NY District, U.S. Army Corps of Engineers

-----Original Message-----
From: Karl Parker
Sent: Tuesday, October 22, 2013 10:26 AM
To: Diane (DOT) Goetke
Cc: Angelo (DOT) Trichilo; Christopher (DOT) White; Elizabeth (DOT) Ketcham; John (DOT) Masi; Tanya (DOT) Thorne; Thomas (DOT) Kligerman; Nancy Baker; Bill Clarke; Delorier, Christine NAN02
Subject: [EXTERNAL] Re: Final Follow-up Summary - PIN 1721.51 Exit 3-4 Airport Connector Wetland Mitigation Proposal

The revisions look ok.

One additional thing in regard to item #4: I would very much prefer the vegetated berm over an 8' chain line r.o.w. fence as the barrier between the acquisition area and the remaining lands associated with Eddie Person's business. A 4' sheep fence would be substantially less of a barrier for wildlife, if a fence was needed to delimit the property line.

>>> "Goetke, Diane (DOT)" 10/22/2013 8:32 AM >>>

Karl,

Thanks again for the productive meeting on Monday 10/7/13 at the 200 Sunset Blvd commercial property owned by Eddie Person. The following is a final summary, including your comments, of what was discussed and our mutual understanding of the conceptual agreements reached:

1) The areas of potential wetland enhancement, restoration and/or creation are located around the periphery of the existing commercial business lot at 200 Sunset Blvd. The areas identified during our site visit have already been tested by consultant Hartgen Archeological Associates, Inc. for the presence of cultural resources. Hartgen found no cultural resources during their investigations and are preparing a report of their findings. We did not test any of the existing

developed parking areas because this is an active commercial business and testing through these filled areas would be quite difficult.

2) a) For the flyover alternative, DOT would propose to acquire a portion of the north parcel (200 Sunset Blvd), in the areas outside of the existing developed parking areas, for preservation and wetland enhancement, restoration and/or creation. Acquisition of the parcel would protect existing wetlands and Shaker Creek from commercial and/or residential development pressure. The remaining developed area of the parcel would be retained by Mr. Person so he can continue his current level of business functions.

b) For the diamond alternative, DOT would propose to acquire both the north and south parcels (200 & 70 Sunset Blvd) in their entirety for preservation and wetland enhancement, restoration and/or creation in areas including the developed commercial business area and the access road. Cultural resource testing would be conducted in any untested areas prior to project final design. Acquisition of the parcels would protect existing wetlands and Shaker Creek from commercial and/or residential development pressure.

3) We discussed a target mitigation ratio of approximately 1:1, with a goal of no-net-loss of wetland acreage, to include a combination of wetland restoration and/or creation and appropriate enhancement of disturbed existing wetlands, in addition to the preservation of the parcel(s) for either alternative.

4) a) For the flyover alternative, DOT would propose to create a buffer between the existing developed commercial business area and our wetland mitigation and preservation areas. A vegetated soil berm and/or ROW fence could serve as a visual and physical barrier to minimize future intrusions into the mitigation and preserved areas.

b) For the diamond alternative, unpermitted access to these parcels would be minimized through the installation of physical barriers (i.e. berms, fences, bollards, etc.)

5) DOT will explore the feasibility of eventually turning over any acquired property to Albany County for their use as additional preserved open space.

I have attached maps of each alternative showing the proposed locations and acreages of ROW acquisitions and wetland mitigation boundaries. The approximate existing wetland boundaries on the parcels are also depicted for your information.

Please let me know as soon as possible if you agree with this conceptual plan as currently proposed.

Thanks.

Diane S Goetke

Environmental Unit Leader

Region 1 Design - Landscape Architecture & Environmental Services

New York State Department of Transportation

50 Wolf Road POD 2-3

Albany, NY 12232

(518) 485-9209

Classification: UNCLASSIFIED
Caveats: NONE